TL 1711-25

United Nations

Press Release

Department of Public Information • News Coverage Service • New York

Special Committee on
decolonization
1384th Meeting (PM)

GA/COL/2811
7 August 1991

DECOLONIZATION COMMITTEE HEARS PROPOSAL FOR ROUND-TABLE TALKS ON FUTURE OF EAST TIMOR

Petitioner Calls for Staged Peace Process, UN Peace-keeping Force

A proposal for round-table discussions on the future of East Timor was made this afternoon by a petitioner addressing the Special Committee on decolonization, as it continued its hearings on the future of that Territory.

Under the proposal, which was made by a representative of the Australian Council for Overseas Aid, the talks might include discussion of a staged peace process beginning with a cease-fire followed by the introduction of a United Nations peace-keeping force. A range of options for the future status of East Timor might be considered, from full independence to some form of "free association" between Indonesia and the Territory.

The need for talks between representatives of Indonesia, East Timor and the Portuguese Government was also stressed during this afternoon's hearing. A representative of the Free East Timor Japan Coalition delivered a message from Timorese rebel leader Shanana Gusmao, who was quoted as saying that his organization was prepared to hold unconditional discussions on all issues leading to a settlement of the problem under the auspices of the United Nations.

Human rights organizations speaking this afternoon deplored the alleged arbitrary arrest, detention, torture and execution of Timorese by the Indonesian military.

Petitioners this afternoon were from the East Timor Alert Network Canada/Asia Working Group; the Hobart East Timor Committee; Amnesty International; Asia Watch; the Free East Timor Japan Coalition; the International Platform of Jurists for Support of East Timor's Right to Self-Determination; the Centre National pour la Recherche Scientifique and the Australian Council for Overseas Aid. The representatives of Iraq, Indonesia and Papua New Guinea spoke on points of order.

The Special Committee will meet again at 10 a.m. tomorrow, 8 August, to continue its hearings on East Timor and New Caledonia and to take up the question of the United States Virgin Islands.

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Special Committee Work Programme

The Special Committee on Decolonization met this afternoon to continue hearing petitioners on East Timor. (For background, see Press Release GA/COL/2810, issued today.)

East Timor

JEFFERY RUDOLPH, a petitioner from the East Timor Alert Network Canada/Asia Working Group, said Canada was among the nations which wronged the people of East Timor by providing support to Indonesia. Canada had voted against United Nations resolutions calling for the immediate withdrawal of Indonesian troops and the right of self-determination for the Timorese. Canada had essentially accepted the illegal annexation of East Timor, an action blatantly inconsistent with Canada's contribution to the United Nations Mission for the Referendum in Western Sahara (MINURSO).

Indonesia was the third largest recipient of Canadian aid, and had received $350 million since 1987, he went on. Soon after the invasion of East Timor, Canada had received President Suharto and had given him a $200 million mixed aid and loan agreement. Canada, which in the past had linked aid to human rights, no longer did so following the 1965 coup. By the time of the invasion, Canada was a major investor in Indonesia and could have used its influence to restrain its economic partner, but did not. More than 300 Canadian companies were active in Indonesia. Profits had been the essential determinant of Canada's policy towards Indonesia.

The loss of life in East Timor would not have been possible without the supply of military equipment to Indonesia by many Western States, he said. In 1984, Canada had sponsored a military trade fair in Indonesia. In violation of official policy forbidding military sales to Governments which had a persistent record of human rights abuses, Canada's military sales to Indonesia continued. Sales were hampered by competition only, not by ethical considerations. The Canadian academic community had generally been silent over the issue of East Timor to protect programmes and research grants in Indonesia. The Canadian media had pointedly ignored the issue. Had the Special Committee on decolonization existed in the 1940s, Indonesians would have condemned the brutal Dutch imperialism. Complicit States had a duty to right the wrong done to the people of East Timor.

DOUG MCGREGOR, a petitioner from the Hobart East Timor Committee in Australia, said the past year had seen much advancement of the case for decolonization of East Timor, notably Portugal's actions at the International Court of Justice (ICJ). The Timorese people continued to suffer arbitrary arrest, detention without trial, rape, forced relocation, disappearances and other oppression. A campaign organized by the Australian Council for Overseas Aid aimed to promote Australian support for East Timor.

All United Nations Member States had a responsibility to seek talks to end the illegal Indonesian occupation, he went on. Recent events, such as German reparations to Poland in compensation for damage inflicted 50 years ago, indicated that young Indonesians might in the future pay for the

Government's current actions. Japan and Australia had failed to pay reparations to the Timorese people for the damage inflicted during the Second World War. The United Nations failure to respond to the occupation of East Timor fostered the belief that the Organization was held back by several Member States which acted only out of self-interest.

Among other suggestions, he said talks must be promoted between the Timorese, Portuguese and Indonesian representatives. The work of the United Nations on East Timor must be widely publicized. The Committee should request an international ban on arms sales to Indonesia. Implementation of United Nations resolutions on East Timor should be examined with a view to improved results. People lived in East Timor in conditions of poverty, under-nourishment, intimidation and exploitation. The Timorese people would be much better off if they controlled their own development.

GEOFFREY ROBINSON, a representative of Amnesty International, said his organization did not take a position on East Timor's political status, but believed that the discussion of its political future must be informed by an understanding of the human rights situation in the Territory. While the Government of Indonesia had taken the positive step of inviting the United Nations Special Rapporteur on Torture to visit Indonesia later this year, over the last year, very serious human rights violations continued to occur in East Timor. A particular cause for concern was an accelerating pattern of short-term detention, torture and ill-treatment of prisoners, many of whom might be prisoners of conscience.

Serious limitations remained on the reporting of human rights violations in East Timor in spite of the opening of the Territory to tourism and commerce in January, he said. Those suspected of disseminating human rights information in Indonesia and East Timor were closely watched by the authorities and had a well-founded fear that they themselves might become victims. Despite government assurances that access to the Territory was unrestricted, and in spite of repeated requests, Amnesty International had not yet been permitted to visit East Timor or Indonesia.

Amnesty International believed that, to date, the Government's response to credible reports of violations had not reflected a full appreciation of its responsibilities under international law and had, in effect, permitted the pattern of violations to continue. The Government of Indonesia must demonstrate its stated commitment to the promotion and protection of human rights by undertaking to investigate in good faith all alleged human rights violations promptly and impartially, by making public the results of any such inquiry and by bringing the suspected perpetrators promptly to justice. Indonesia should also accede to the International Covenant on Civil and Political Rights as soon as possible.

In the past year, he continued, a pattern of short-term detention, ill-treatment and torture had accelerated in East Timor. Suspects, many of whom were students and other young people who had taken part in a series of pro-independence demonstrations, were typically held in police or military detention centres for periods ranging from a few hours to several weeks. Many of those detained in the past year were reportedly ill-treated or tortured in

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custody and at least five were hospitalized as a result of their injuries. The Indonesian authorities had consistently denied allegations of the ill-treatment and torture of detainees and raised questions about the political motives of those, including Amnesty International, who had reported them. Yet there could be no longer be any doubt that such violations had occurred on a considerable scale in East Timor.

Amnesty International believed that many of the hundreds of people reported to have "disappeared" since 1975 may have been killed, he said. It noted the continuing efforts made by the Indonesian Government to investigate those cases, but was concerned by the slow pace of such investigations. Amnesty International also continued to question seriously the fairness of political trials in East Timor. While the Government insisted that they were open to the public, it had not allowed qualified international observers to attend such trials and had made clear that attendance would be regarded as an unwelcome intrusion into Indonesia's domestic affairs. Amnesty International believed that at least 30 people, and possibly many more, were killed by Indonesian security forces in 1990 and 1991 in apparent extrajudicial executions. The Government had a clear obligation to investigate immediately all such reports.

MICHAEL JENDRZEJCZYK, of Asia Watch, said credible reports on rights abuses in East Timor indicated that the pattern of torture and arbitrary arrest had persisted. Two major waves of arrest had occurred in September and October of last year. In incidents at a junior high school, at least 100 students had been arrested and 14 remained in detention. Among those students was Abilio Messquita, who had been subjected to electric shocks and beatings with an iron rod and a rifle butt while in detention. Three other students had received the same treatment. They had been kept for four days and then brought to the hospital. They were charged for all medical treatment, he added.

In violation of its own criminal code, the Indonesian Government routinely denied families access to detained persons, he went on. Such visits were crucial to the prevention of torture. In a separate incident, students had been arrested for possession of FRETILIN banners in violation of the internationally recognized right to freedom of expression. Chronic and systematic torture was not the only problem; freedoms of expression, association and assembly were also routinely denied.

The pattern of abuse reported in East Timor also occurred in Indonesia, he said. Not a single case of a soldier being prosecuted for rights abuse was known. The Indonesian army's grim repertoire of torture techniques included electric shocks to the victims' toes, fingers, ears or genitals and burning skin with cigarettes. Indonesia must live up to its stated commitments to human rights. The people of East Timor had to turn to other countries to help counter their own persecution.

T.A. SAMODRA SRIWIDJAJA (Indonesia) asked that the petitioner confine his remarks to the subject under discussion.

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KAN ATANI, a petitioner from the Free Timor Japan Coalition, introduced a message the organization had received from the leader of the National Council of Resistance of the Mauberes, Shanana Gusmao. He quoted the leader as stating that he could not travel to the United Nations for fear of assassination. The leader also said that the United Nations must not forget any party with a strong interest in resolving the Timor problem and that it was important that representatives of East Timor were represented at any projected talks. His organization was prepared to hold unconditional discussions on all issues leading to a settlement of the problem. He trusted that the Secretary-General would convene such a conference.

The representative of the Coalition said his group had received a number of reports on human rights violations in East Timor, a summary of which had been attached to its statement to the Committee. The Coalition believed that such abuses would continue as long as the people were prevented from exercising their right to self-determination. The Coalition would continue to observe closely what concrete measures were taken by the United Nations to reflect the "voice of the Timorese people".

SABAH TALAT KADRAT (Iraq), speaking in a point of order, said the speaker should confine himself to matters pertaining to the work of the Committee. The Security Council had already addressed itself to the situation in Iraq. Speaking on the subject of human rights, measures should be taken to prevent starvation in that country.

PEDRO PINTO LEITE, of the International Platform of Jurists for Support of East Timor's Right to Self-Determination, said Indonesia benefited from the indifference of many countries towards its annexation of East Timor. The Indonesian occupation hindered the people of East Timor from exercising their inalienable right to self-determination. That right clearly had economic aspects. The recent agreement between Indonesia and Australia on the exploration of the resources of the so-called Timor Gap, clearly violated the right of the Timorese people to permanent sovereignty over their natural resources. The colonialist exploitation of the territory's oil deposits by the two countries showed that the existence of those resources was one of the reasons that had led to the occupation. An action brought before the International Court of Justice by Portugal against Australia in connection with the Timor Gap agreement, was a very important step towards the re-establishment of international legality in the territory.

Mr. KADRAT (Iraq) said, in a point of order, that the speaker should confine his remarks to the question under discussion.

BRUNO KAHN, a petitioner from the Centre National pour la Recherche Scientifique, said the annexation of East Timor was a flagrant violation of the United Nations Charter and had been covered by two resolutions of the Security Council and eight resolutions of the General Assembly. Indonesia behaved like a colonizing power in East Timor as evidenced, in part, by the compulsory use of the Indonesian language. The Timorese had little effective access to the administration of the Territory, little access to economy and commerce and virtually no possibility for a Timorese to find a job after

graduating from high school. An alarming rate of malaria and tuberculosis was found in certain regions. Natural resources such as oil and natural gas were exploited by the Indonesians with little or no profit to the Timorese.

The Timorese rejected the occupation, he went on. Those who demonstrated were often arrested and sometimes tortured. The Indonesian military presence was estimated at some 12,000 troops for a population of 700,000, and a feeling of fear was pervasive, including fear of speaking to foreigners. Rebel leader Shanana Gusmao, who was highly wanted for arrest, had not been captured. The main Timorese political parties were unified on the issue of independence.

International concern could be seen in the actions of the European Parliament and the United States Congress, among others, he said. The concern went beyond the issue of human rights to include self-determination and independence itself. The United Nations had been working on a solution to the crisis, and the Portugese were supposed to visit the territory in the summer in that regard. The armed resistance had consistently showed its good will by issuing peace plans and had been open to a cease-fire. A difficult case of decolonization had been successfully achieved by the United Nations last year; it was hoped that a solution could be found for the people of East Timor.

MERILL FINDLAY, petitioner from the Australian Council for Overseas Aid, said the flexibility of the East Timorese Resistance and the willingness of the resistance leader to begin negotiations without preconditions, represented a real opportunity for the international community to honour the many resolutions that had been made both in the General Assembly and the Security Council regarding the decolonization of East Timor. It was time to give the people of the Territory an opportunity to live in peace and to decide their own future.

The Council, representing 90 non-governmental organizations involved in overseas aid and development, was now sponsoring a proposal which called for round-table discussions without preconditions about the future of the Territory, she said. Participants in the talks would include representatives of the Governments of Portugal and Indonesia, the East Timorese Resistance leader Shanana Gusmao, representatives of the East Timorese political parties and the Roman Catholic Church, and the United Nations Secretary-General. The United Nations would convene the discussions.

Under the proposal, which she said would be developed more fully during the year, the talks might include discussion of a staged peace process beginning with a cease-fire followed by the introduction of a United Nations peace-keeping force, for example. A range of options for the future status of East Timor might be considered from full independence to some form of "free association" between Indonesia and the Territory. Safeguards for Indonesia might also be considered, such as base facilities for the Indonesian navy and airforce in East Timor, the continued use of Indonesian currency and links with the Association of South-East Asian Nations (ASEAN). An ongoing international presence, possibly including Portugal, ASEAN and the United Nations itself, might be considered to effectively guarantee and sustain the agreed arrangements.

ALEXIS O. MAINO (Papua New Guinea), replying to a reference by the previous speaker to Bougainville, asked that the speaker confine herself to the area under discussion by the Committee.

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